

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	No. CR-07-003-LRS-2
Plaintiff,	)	
	)	ORDER GRANTING DEFENDANT'S
v.	)	MOTION AND SETTING
	)	CONDITIONS OF RELEASE
JOHN ALLAN LINDSTROM,	)	
	)	
Defendants.	)	
	)	

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At the February 5, 2007, hearing on Defendant's Motion to Revisit Issue of Detention, Defendant was present with Assistant Federal Defender Amy Rubin. Assistant U.S. Attorney Aine Ahmed represented the United States. The United States did not oppose Defendant's Motion. The court took the matter under advisement pending confirmation of a treatment program and funding.

The U.S. Probation Office has confirmed a treatment appointment is set up for 1:00 p.m., February 20, 2007, at New Horizons, and that funding is available.

**IT IS ORDERED** Defendant's Motion (**Ct. Rec. 44**) is **GRANTED**. Defendant shall be released on the following conditions:

1. Defendant shall participate in intensive outpatient treatment. Prior to release, an appointment for Defendant's first intensive outpatient treatment session must be made by Defendant and confirmed by Pretrial Services. Pretrial Services also shall

1 confirm that funding is available. The treatment program must be in  
2 place and Defendant shall not be released until the day of his first  
3 appointment. **If Defendant fails in any way to comply or cooperate**  
4 **with the requirements of the outpatient treatment program, Pretrial**  
5 **Services and the parties are directed to immediately notify the**  
6 **court. Treatment shall not interfere with the Defendant's court**  
7 **appearances.** Full mutual releases shall be executed to permit  
8 communication between the court, Pretrial Services, and the  
9 treatment vendor. If random urinalysis testing is not conducted by  
10 the treatment provider, Defendant shall be subject to random  
11 urinalysis testing by the United States Probation Office, not to  
12 exceed six times a month.

13       2. **Except for 1½ hours each week for attendance at spiritual**  
14 **services, court-related appearances, and outpatient treatment**  
15 **appointments, the Defendant shall remain under home detention.**

16       3. Defendant shall not commit any offense in violation of  
17 federal, state or local law.

18       4. Defendant shall advise the court and the United States  
19 Attorney in writing before any change in address, and he must have  
20 prior permission from the court to change addresses.

21       5. Defendant shall appear at all proceedings and surrender as  
22 directed for service of any sentence imposed.

23       6. Defendant shall sign and complete form A.O. 199C before  
24 being released and shall reside at the address furnished.

25       7. Defendant shall remain in the Eastern District of  
26 Washington while the case is pending. On a showing of necessity,  
27 Defendant may obtain prior written permission to leave this area  
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1 from the United States Probation Office.

2 8. Defendant shall not be employed until given permission by  
3 his outpatient treatment provider.

4 9. Defendant shall not possess a firearm, destructive device  
5 or other dangerous weapon.

6 10. Defendant is further advised, pursuant to 18 U.S.C. §  
7 922(n), it is unlawful for any person who is under indictment for a  
8 crime punishable by imprisonment for a term exceeding one year to  
9 ship or transport in interstate or foreign commerce any firearm or  
10 ammunition or receive any firearm or ammunition which has been  
11 shipped or transported in interstate or foreign commerce.

12 11. Defendant shall refrain from the use of alcohol, and the  
13 use or possession of a narcotic drug and other controlled substances  
14 defined in 21 U.S.C. § 802, unless prescribed by a licensed medical  
15 practitioner. **There shall be no alcohol or unlawful drugs in the**  
16 **Defendant's residence.**

17 12. Defendant shall report to the United States Probation  
18 Office before or immediately after his release and shall report as  
19 often as they direct, at such times and in such manner as they  
20 direct, but at least three times a week by telephone. Defendant  
21 shall contact his attorney at least twice a week.

22 **Defendant is advised a violation of any of the foregoing**  
23 **conditions of release may result in the immediate issuance of an**  
24 **arrest warrant, revocation of release and prosecution for contempt**  
25 **of court, which could result in imprisonment, a fine, or both.**  
26 **Specifically, Defendant is advised a separate offense is established**  
27 **by the knowing failure to appear and an additional sentence may be**  
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1 imposed for the commission of a crime while on this release. In  
2 this regard, any sentence imposed for these violations is  
3 consecutive to any other sentence imposed.

4 IT IS FURTHER ORDERED the United States Marshal shall keep  
5 Defendant in custody until notified by the District Court Executive  
6 or judicial officer that Defendant has posted bond and/or complied  
7 with all other conditions for release. Until such time, Defendant  
8 shall be produced before the appropriate judicial officer at the  
9 time and place specified.

10 DATED February 12, 2007.

11  
12 S/ CYNTHIA IMBROGNO  
13 UNITED STATES MAGISTRATE JUDGE  
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